

**THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Hubert Dean Moore, Jr. and	:	Chapter 13
AnnMarie Fletcher-Moore,	:	
Joint Debtors	:	Case No.: 21-11984-mdc

**RESPONSE TO THE CERTIFICATION OF DEFAULT BY U.S. BANK TRUST
NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT
SOLELY AS TRUSTEE OF LSF9 MASTER PARTICIPATION TRUST FOR
CERTIFICATION OF DEFAULT**

Debtors Hubert Dean Moore, Jr. and AnnMarie Fletcher-Moore, by and through undersigned counsel at Ross, Quinn & Ploppert P.C., respond to the certification of default, as follows:

1. Movant U.S. Bank and Debtors entered into a stipulation curing post-petition arrears and requiring monthly payment to Fay Servicing, the servicer for Movant.
2. Pursuant to a stipulation, Debtors and their Counsel reviewed a Notice of Default of Stipulation dated June 23, 2023 mailed by Movant to Debtors.
3. Debtors have remained in communication with Movant Fay Servicing and continued to tender payments. Movant's representatives continue to inform Debtors that they have funds in suspense and they only need to tender partial payments to remain current. Upon certification of default, Debtors immediately contacted my office with confusion. Debtors have provided Counsel bank records and we have determined the amounts immediately payable to cure. Debtors tendered a payment on June 20, 2023 in the amount of \$1,540.49. Additionally, Debtors tendered a payment of \$1,540.49 on July 13, 2023 (Confirmation # 243578031). Debtors have committed to tendering an additional \$2365.60 payment to Fay on July 27, 2023.

Debtors erroneously relied upon ongoing verbal communications with Fay Servicing and were unaware of post-petition arrears, but commit to a resolution to cure.

WHEREFORE, Debtors respectfully request that this Court deny the request for certification of default by Movant.

Respectfully submitted,

ROSS, QUINN & PLOPPERT, P.C.

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